

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)
)
v.)
) **No. 2:21-cr-0008**
)
THOMAS WEIR,)
and)
PAMELA SPIVEY)

**DEFENDANTS WEIR AND SPIVEY'S JOINT MOTION
FOR LEAVE TO FILE A MOTION TO SEVER
FROM DEFENDANT DONALDSON FOR SEPARATE TRIAL**

In July and August 2025, the Government provided the Defendants Thomas Weir and Pamela Spivey an opportunity to review (but not copy) reports of interviews of multiple witnesses who have claimed that co-defendant William Donaldson engaged in hand-to-hand drug transactions, traded sex for drugs, offered his home as a location for the use and abuse of controlled substances and for the manufacturing of methamphetamine, and engaged in other conduct potentially indicative of illicit drug activities. A motion in limine to prohibit the introduction of a subset of such information (Joint Motion in Limine No. 22), was filed February 8, 2024, based on a letter from the Government dated January 16, 2024, summarizing certain of the interviews; it remains pending. A Joint Supplemental Motion in Limine No. 22 was filed by Defendants Weir, Spivey and Donaldson as an Exhibit to their request to late-file such supplemental motion on August 22, 2025. Such proposed supplemental motion addresses the new information Defendants obtained through their review of the reports in July and August 2025.

In the event this Court denies Joint Motion in Limine No. 22 and Supplemental Joint

Motion in Limine 22, Mr. Weir and Ms. Spivey submit that they will suffer unfair prejudice with evidence of Mr. Donaldson's alleged wrongdoing which is distinct from the allegations in the Indictment. The information they obtained from the Government in July and August 2025 is much more substantial, in breadth, depth, and prejudicial nature, than the information disclosed in the Government's January 19, 2024 letter. Having only recently been provided, and having now digested the impact of, the newly disclosed material, they request leave to file, simultaneously with the filing of Supplemental Joint Motion in Limine No. 22, a Motion to Sever from Defendant Donaldson for a separate trial. A copy of the proposed Motion to Sever is submitted herewith as Exhibit 1.

The Government's position regarding this request to late-file a Motion to Sever is unknown. Defense counsel emailed counsel for the Government to ascertain its position, making specific reference to new materials disclosed in July and August 2025. Counsel for the Government reminded counsel for Ms. Spivey that she had raised the possibility of a motion to sever during a February 2025 hearing but had filed no such motion, going on to state that the Government would likely object to the late-filing of any motion. However, the witness interviews addressed herein and in Exhibit 1 hereto were not made available to the defense for review until July and August 2025, at which time the quantum of evidence concerning Mr. Donaldson's alleged "bad acts" was revealed and the risk of unfair prejudice to Ms. Spivey and Mr. Weir from its spillover effect became apparent and far more compelling than that which had been previously revealed.

Under the circumstances presented herein, granting leave to file the proposed Motion to Sever serves the interests of the Defendants, the public, and of justice writ large.

Respectfully submitted,

s/Kathleen G. Morris

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Certificate of Service

I hereby certify that I submitted this document to the Court's electronic filing system which generated an email notification of such filing to Assistant U.S. Attorneys Sarah Bogni and Zachary Hinkle, 719 Church Street, Suite 3300, Nashville, TN 37203, and to counsel of record for each of the co-defendants, on this 22nd day of August 2025.

s/Kathleen G. Morris

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